

## COMMONWEALTH OF MASSACHUSETTS

WORCESTER, ss

WORCESTER SUPERIOR COURT  
DOCKET NO: 02-0830COMMONWEALTH OF MASSACHUSETTS )  
Plaintiff )

v. )

ANTHONY LEO )  
Defendant )20 04 Filed in Court 12/2

Attest

Hillman

Assistant Clerk-Magistrat

MOTION TO REVISIT THE ISSUE OF BAIL PURSUANT to  
M.G.L. c. 276, §58, sixth paragraph under Changed  
Circumstances.

Now comes the Defendant, Anthony Leo, and requests this honorable court revisit the issue of bail due to factors not previously known, that now constitute 5<sup>th</sup>, 6<sup>th</sup>, 8<sup>th</sup> and 14<sup>th</sup> amendment violations of the U.S. Constitution and arts. 1,10,12 and 26 of the Massachusetts Declaration of Rights, and as reasons and support thereof states the following:

A.) That on 7/18/2002 Kern J. presiding, the Court denied Defendant's request to lower bail from \$500,000 cash to \$50,000 cash "[b]ased on "Flight Risk Only"(potential suicide), from hearsay statements by the D.A. See attached transcript of 7/18/02 bail hearing.

B.) That Defendant has been detained without a trial since 4/22/02, (31 months) which is far beyond the theoretical maximum under Speedy Trial Act, thus giving rise to Due Process, concerns. 5th Amendment of U.S. Constitution.

12/21/05: There being no change in the  
As circumstances, the w/in  
Motion is denied.

**Commonwealth of Massachusetts**

**County of Worcester**

**The Superior Court**

CRIMINAL DOCKET# **WOCR2002-00830**

RE: **Commonwealth v Leo, Anthony M**

TO: Christopher P LoConto, Esquire  
120 Main Street  
Worcester, MA 01608-1170

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**CLERK'S NOTICE**

This is to notify you that in the above referenced case the Court's action on 12/21/2004 is as follows:

Deft files motion to revisit the issue of bail pursuant to M.G.L.c. 276, s 58, sixth paragraph under changed circumstances

**Motion (P#32) denied (Hillman., Justice). There being no change in the defendant's circumstances, the within motion is denied (copies mailed)**

Dated at Worcester, Massachusetts this 23rd day of December, 2004.

Francis A. Ford,  
Clerk of the Courts

Location: Rm 204 (Worcester)

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